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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
PETER SMITH,

05-CV-3320 (LAK)

Plaintiff,

-against-

**PLAINTIFF'S NOTICE OF  
MOTION IN SUPPORT OF  
MOTION TO COMPEL  
DISCLOSURE**

FLIK INTERNATIONAL CORP., COMPASS GROUP  
USA, INC., CREDIT SUISSE FIRST BOSTON, LLC,

Defendants.

-----X  
**PLEASE TAKE NOTICE**, that upon the Declaration of Jeffrey A. Kimmel, Esq., duly sworn to the 10<sup>th</sup> day of October, 2005 and the exhibits annexed thereto, and upon all prior pleadings and proceedings had herein, the undersigned will move this Court, before Hon. Lewis A. Kaplan, U.S.D.J., pursuant to Rule 37 of the Federal Rules of Civil Procedure and Judge Kaplan's Individual Practices, to be held in and for the Southern District of New York, at the United States Courthouse located at 500 Pearl Street, New York, New York 10007, on a date to be determined by the Court, for an Order directing Defendants Flik International Corp. ("Flik") and Compass Group USA, Inc. ("Compass") and Credit Suisse First Boston, LLC ("CSFB"), to respond fully to Plaintiff's outstanding document demands by a certain date, and granting such other and further relief as this Court deems just and proper.

Dated: New York, New York  
October 10, 2005

MEISTER SEELIG & FEIN LLP

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